

Please type a plus sign (+) inside this box ☉

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY</b>  <b>PATENT APPLICATION</b>  <b>TRANSMITTAL</b>  (Only for new nonprovisional applications under CFR 1.53(b))	Attorney Docket No.	<b>SALTER P09AUSD3</b>	
	First Named Inventor or Appln Identified: <b>James N. CURTI, James CHUA and Peter W. SALTER</b>		
	Title: <b>NASAL CANNULA</b>		
	Express Mail Label No.	EV330995145US	

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent appln. contents.	<b>ADDRESS TO:</b> <b>Assistant Commissioner for Patents</b> <b>Box Patent Application</b> <b>P. O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>
--	---

1. ☒ **Fee Transmittal Form**  
*(submit an original, and a duplicate for fee processing)*

2. ☐ Applicant claims small entity status  
*(see 37 CFR 1.27.)*

3. ☒ **Specification** (Total Pages) [10]  
*(preferred arrangement set forth below)*

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings *(if filed)*
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ **Drawing(s)** (35 USC 113) (Total Pages) [1]

4a. ☒ **Submission of Formal Drawings** (Total Pages) [1]

5. ☒ **Oath or Declaration** (Total Pages) [2]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application  
(37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*

i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet (see 37 CFR).

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*

8. ☐ Nucleotide an/or Amino Acid Sequence Submission *(if applicable, all necessary)*

a. ☐ Computer Readable Form (CRF)

b. ☐ Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statements verifying identity of above copies

<b>ACCOMPANYING APPLICATION PARTS</b>
<p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></p> <p>11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></p> <p>12. <input checked="" type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>16. <input checked="" type="checkbox"/> Other: Express Mail Certificate</p>

**17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**

☐ Continuation      ☒ Divisional      ☐ Continuation-in-Part (CIP)      of prior application No.: 09/837,720

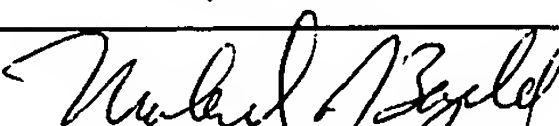
Prior application information: Examiner: Darwin P. Erez Group/Art Unit: 3761

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>18. CORRESPONDENCE ADDRESS</b>		
<p><input checked="" type="checkbox"/> Customer Number: <b>020210</b></p> <p>Name: <b>DAVIS &amp; BUJOLD, P.L.L.C.</b> 500 North Commercial Street - 4th floor Manchester, NH 03101-1151 United States of America</p> <p>Name: <b>Michael J. Bujold</b></p> <p>Signature: </p>	<p>PATENT &amp; TRADEMARK OFFICE</p> <p><b>020210</b></p>	<p><input type="checkbox"/> Correspondence address below</p> <p>Telephone: 603/624-9220</p> <p>Telefax: 603/624-9229</p> <p>E-Mail: <a href="mailto:patent@davisandbujold.com">patent@davisandbujold.com</a></p> <p>Registration No.: <b>32,018</b></p> <p>Date: <b>July 25, 2003</b></p>

19972 U.S. PTO  
10/627502  
07/25/03

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL						Complete if Known																																																																																																																																																																																			
for FY 2003						Application No. Filing Date First Named Inventor Examiner Name Group Art Unit			James N. CURTI Darwin P. Erez 3761																																																																																																																																																																																
Patent fees are subject to annual revision  <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						Attorney Docket No.			SALTER P09AUSD3																																																																																																																																																																																
TOTAL AMOUNT OF PAYMENT: \$ 750 <sup>00</sup>																																																																																																																																																																																									
METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)																																																																																																																																																																																			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None  <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 04-0213 Deposit Account Name: DAVIS & BUJOLD, P.L.L.C.						<b>3. ADDITIONAL FEES</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge-late filing fee/oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for re-examination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Ext.for reply w/in 1 mon</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Ext.for reply w/in 2 mon</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Ext.for reply w/in 3 mon</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Ext.for reply w/in 4 mon</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Ext.for reply w/in 5 mon</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a Brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (for reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petition related to provisional applns.</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Info.Disclo.Stmt.</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording ea. patent assignment per property (times No.of properties)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375</td><td>For ea.additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Cont.Exam. (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>						Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge-late filing fee/oath		1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for re-examination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Ext.for reply w/in 1 mon		1252	410	2252	205	Ext.for reply w/in 2 mon		1253	930	2253	465	Ext.for reply w/in 3 mon		1254	1,450	2254	725	Ext.for reply w/in 4 mon		1255	1,970	2255	985	Ext.for reply w/in 5 mon		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a Brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (for reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petition related to provisional applns.		1806	180	1806	180	Submission of Info.Disclo.Stmt.		8021	40	8021	40	Recording ea. patent assignment per property (times No.of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For ea.additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Cont.Exam. (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																				
1051	130	2051	65	Surcharge-late filing fee/oath																																																																																																																																																																																					
1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet																																																																																																																																																																																					
1053	130	1053	130	Non-English specification																																																																																																																																																																																					
1812	2,520	1812	2,520	For filing a request for re-examination																																																																																																																																																																																					
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																					
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																					
1251	110	2251	55	Ext.for reply w/in 1 mon																																																																																																																																																																																					
1252	410	2252	205	Ext.for reply w/in 2 mon																																																																																																																																																																																					
1253	930	2253	465	Ext.for reply w/in 3 mon																																																																																																																																																																																					
1254	1,450	2254	725	Ext.for reply w/in 4 mon																																																																																																																																																																																					
1255	1,970	2255	985	Ext.for reply w/in 5 mon																																																																																																																																																																																					
1401	320	2401	160	Notice of Appeal																																																																																																																																																																																					
1402	320	2402	160	Filing a Brief in support of an appeal																																																																																																																																																																																					
1403	280	2403	140	Request for oral hearing																																																																																																																																																																																					
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																					
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																					
1453	1,300	2453	650	Petition to revive - unintentional																																																																																																																																																																																					
1501	1,300	2501	650	Utility issue fee (for reissue)																																																																																																																																																																																					
1502	470	2502	235	Design issue fee																																																																																																																																																																																					
1503	630	2503	315	Plant issue fee																																																																																																																																																																																					
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																					
1807	50	1807	50	Petition related to provisional applns.																																																																																																																																																																																					
1806	180	1806	180	Submission of Info.Disclo.Stmt.																																																																																																																																																																																					
8021	40	8021	40	Recording ea. patent assignment per property (times No.of properties)																																																																																																																																																																																					
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																					
1810	750	2810	375	For ea.additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																					
1801	750	2801	375	Request for Cont.Exam. (RCE)																																																																																																																																																																																					
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																					
The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified account.																																																																																																																																																																																									
FEE CALCULATION																																																																																																																																																																																									
<b>1. FILING FEE</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>750</td><td>2001</td><td>375</td><td>Utility filing fee</td><td>750</td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>520</td><td>2003</td><td>260</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>750</td><td>2004</td><td>375</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provision filing fee</td><td></td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (1)</td><td>\$750</td></tr> </tbody> </table>						Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1001	750	2001	375	Utility filing fee	750	1002	330	2002	165	Design filing fee		1003	520	2003	260	Plant filing fee		1004	750	2004	375	Reissue filing fee		1005	160	2005	80	Provision filing fee		SUBTOTAL (1)					\$750																																																																																																																																										
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																				
1001	750	2001	375	Utility filing fee	750																																																																																																																																																																																				
1002	330	2002	165	Design filing fee																																																																																																																																																																																					
1003	520	2003	260	Plant filing fee																																																																																																																																																																																					
1004	750	2004	375	Reissue filing fee																																																																																																																																																																																					
1005	160	2005	80	Provision filing fee																																																																																																																																																																																					
SUBTOTAL (1)					\$750																																																																																																																																																																																				
<b>2. CLAIMS</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th></th> <th>Extra</th> <th>Fee From Below</th> <th></th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>6-20*</td> <td>= -0-</td> <td>\$18 (\$9)</td> <td>x</td> <td>= -0-</td> </tr> <tr> <td>Ind. Claims</td> <td>2- 3</td> <td>= -0-</td> <td>\$84 (\$42)</td> <td>x</td> <td>= -0-</td> </tr> <tr> <td>Mult.Ind.Claims</td> <td></td> <td>=</td> <td>\$280 (\$140)</td> <td>x</td> <td>=</td> </tr> </tbody> </table> <p>** or number previously paid, if greater; For Reissues, see below</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim</td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (2)</td><td>\$-0-</td></tr> </tbody> </table>								Extra	Fee From Below		Fee Paid	Total Claims	6-20*	= -0-	\$18 (\$9)	x	= -0-	Ind. Claims	2- 3	= -0-	\$84 (\$42)	x	= -0-	Mult.Ind.Claims		=	\$280 (\$140)	x	=	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	1202	18	2202	9	Claims in excess of 20	1201	84	2201	42	Independent claims in excess of 3	1203	280	2203	140	Multiple dependent claim	1204	84	2204	42	**Reissue independent claims over original patent	1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)					\$-0-																																																																																																																								
		Extra	Fee From Below		Fee Paid																																																																																																																																																																																				
Total Claims	6-20*	= -0-	\$18 (\$9)	x	= -0-																																																																																																																																																																																				
Ind. Claims	2- 3	= -0-	\$84 (\$42)	x	= -0-																																																																																																																																																																																				
Mult.Ind.Claims		=	\$280 (\$140)	x	=																																																																																																																																																																																				
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																					
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																					
1201	84	2201	42	Independent claims in excess of 3																																																																																																																																																																																					
1203	280	2203	140	Multiple dependent claim																																																																																																																																																																																					
1204	84	2204	42	**Reissue independent claims over original patent																																																																																																																																																																																					
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																					
SUBTOTAL (2)					\$-0-																																																																																																																																																																																				
**or number previously paid, if greater; For Reissues, see above						Other fee (specify) *Reduced by Basic Filing Fee Paid <div style="text-align: right;">SUBTOTAL (3) \$</div>																																																																																																																																																																																			
SUBMITTED BY .						Completed (if applicable)																																																																																																																																																																																			
Typed or Printed Name		Michael J. Bujold		Registration Number		32/018		Telephone No.		(603) 624-9220																																																																																																																																																																															
Signature				Date: July 25, 2003		Deposit Account User ID		04-0213																																																																																																																																																																																	

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	James N. CURTI, James CHUA and Peter W. SALTER
For	:	NASAL CANNULA
Group Art Unit	:	3761
Examiner	:	Darwin P. Erez
Docket	:	SALTER P09AUSD3

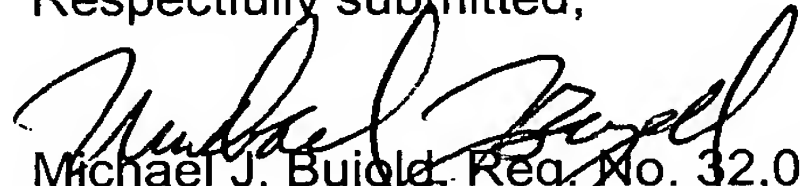
The Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF FORMAL DRAWINGS**

Enclosed please find one (1) sheet of formal drawings which are to be entered in this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018

**Customer No. 020210**

Davis & Bujold, P.L.L.C.

Fourth Floor

500 North Commercial Street

Manchester NH 03101-1151

Telephone 603-624-9220

Facsimile 603-624-9229

E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : James N. CURTI, James CHUA and Peter W.  
SALTER  
For : NASAL CANNULA  
Group Art Unit : 3761  
Examiner : Darwin P. Erez  
Docket : SALTER P09AUSD3

The Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number: **EV330995145US**

Date of Deposit: 7/25/03

I hereby state that the following attached paper or fee:

**Check for \$750;**  
**Patent Application Transmittal-1 pg.;**  
**Fee Transmittal Ltr (+Dupl)-1 pg.;**  
**Specification/Claims/Abstract- 10 pgs.;**  
**Submission of Formal Drawings-1 pg.; Drawings - 1 pgs.;**  
**Declaration & Power of Atty- 2 pgs.;**  
**Information Disclosure Statement-1pg.;**  
**PTO Form 1449-1 pg.;**  
**Preliminary Amendment- 10 pgs.;**  
**Return Postcard**

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, on the date indicated above and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Michael J. Bujold

  
Signature of person mailing paper or fee

NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings, it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.